



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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DEC 08 2001

EXAMINER

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| ART UNIT | PAPER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

The reply filed on October 15, 2001 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant did not elect between III a polar versus nonpolar solvents which further contains a species as noted by 1 aa. methanol for the polar and 2 aa hexane for the nonpolar solvent. The indication of both methanol and hexane is improper. Applicant has noted a limitation "The protocol called for three steps ...three extracts were then combined" which limitations are not present in at least the broad claimed inventions. The requirement in VI is accordance with Claim 58 whereby the method requires an adjustment of the pH as required as to A or B. If there is no pH adjustment, claims considered will not have this requirement. Applicant is requested to denote the claims which are directed to the elected claimed subject matter and to submit one or more claims drawn to the claimed subject matter for examination.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lilling whose telephone number is (703) 308-2034 and fax number is (703) 308-4242 or SPE Michael Wityshyn whose telephone number is (703) 308-4743. Examiner can be reached Monday-Thursday from about 5:30 A.M. to about 3:00 P.M. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

H.J. Lilling: HJL

(703) 308-2034

Art Unit 1651

November 26, 2001

L. N. 9/442252

Herbert J. Lilling
HERBERT J. LILLING
Primary Examiner
Art Unit: 1651